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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/519,515	12/07/2004	Kyl L. Smith	681132-2

000570  
AKIN GUMP STRAUSS HAUER & FELD L.L.P.  
ONE COMMERCE SQUARE  
2005 MARKET STREET, SUITE 2200  
PHILADELPHIA, PA 19103

CONFIRMATION NO. 2543

## FORMALITIES LETTER



\*OC000000016034505\*

Date Mailed: 05/16/2005

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(f) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$65** for a Small Entity

- **\$65** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*

07/15/2005 WASFAW1 00000034 10519515

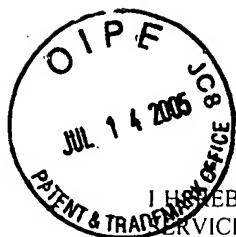
01 FC:2051

65.00 OP

A handwritten signature in black ink, consisting of a series of loops and a long horizontal stroke ending in a small flourish.

Office of Initial Patent Examination (703) 308-1202

PART 3 - OFFICE COPY



I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO: COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450, ON THE DATE INDICATED BELOW.

BY: Renee Conti

Date: July 12, 2005

**MAIL STOP MISSING PARTS**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In Re Patent Application of: :  
Kyl L. Smith :  
: :  
Conf. No.: 2543 : Group Art Unit: Not Yet Assigned  
: :  
Appln. No.: 10/519,515 : Examiner: Not Yet Assigned  
: :  
Filing Date: December 7, 2004 : Attorney Docket No.: 681132-2US  
: :  
Title: COMPOSITIONS FOR IMPROVING METAL PERFORMANCE

**TRANSMITTAL OF MISSING PARTS OF APPLICATION**  
**FILING DATE GRANTED**

In response to the Notice to File Missing Parts dated May 16, 2005, we submit herewith the following:

- ☒ [X] Copy of the Notice to File Missing Parts of Application -- Filing Date Granted, mailed May 16, 2005.
- ☐ [ ] No Notice to File Missing Parts has been received.
- ☒ [X] Copy of executed Declaration and Power of Attorney.
- ☐ [ ] Verified English translation of application as filed.
- ☐ [ ] Priority document(s): Certified copy(ies) of &@ patent application No(s). &@, filed in &@ on &@ from which priority is claimed under 35 U.S.C. § 119.
- ☐ [ ] Formal drawings: &@ sheets
- ☐ [ ] Information Disclosure Statement, PTO/SB/08A and/or PTO/SB/08B, and cited references.
- ☐ [ ] Preliminary Amendment.

- ☐ Nucleotide and/or Amino Acid Sequence Submission, including:
- ☐ Computer readable copy                      ☐ Paper Copy                      ☐ Verified Statement
- ☐ Petition for Extension of Time along with requisite fee.
- ☐ Request for Refund.
- ☐ Request for Corrected Filing Receipt. Attached is a marked-up copy of the Filing Receipt showing corrections.
- ☐ Applicant(s), by its/their undersigned attorney, claim(s) Small Entity Status under 37 C.F.R. §1.27 as ☐ an Independent Inventor, or ☐ a Small Business Concern, or ☐ a Non-Profit Organization.
- ☐ Other: &@

			SMALL ENTITY			LARGE ENTITY	
CLAIMS	NO. FILED	NO. EXTRA	BASIC, SEARCH, AND EXAMINATION FEES: \$ 500			BASIC, SEARCH, AND EXAMINATION FEES: \$1,000	
Total	-20 =		X25	\$	OR	X50	\$
Independent	- 3=		X100	\$	OR	X200	\$
<input type="checkbox"/> Multiple Dependent Claims Present			\$180	\$	OR	\$360	\$
<input type="checkbox"/> Application Size Fee							
Total sheets		Add'l sheets	# of sets of 50 (round up to whole number)				
-100	=	/50 =		x \$250 =	\$	OR	x 125 = \$
			<b>TOTAL</b>	\$	OR	<b>TOTAL</b>	\$

- ☒ The following fees noted below are being paid.
- ☒ Surcharge of \$65 for late filing of filing fee and/or Declaration and Power of Attorney.
- ☐ Surcharge of \$130 for late filing of English translation.
- ☐ Extension of Time fee in the amount of \$\_\_\_\_.00 (Petition for Extension of Time is attached).
- ☐ Filing Fee in the amount of \$\_\_\_\_.00 calculated above.
- ☒ Enclosed is our firm's check in the amount of \$65.00 for the above fee(s).
- ☒ The Commissioner is hereby authorized to charge and/or credit Deposit Account No. 50-1017 (Billing No. 681132.0002) as noted below. A duplicate copy of this sheet is enclosed.
- ☐ The above-calculated fee(s) calculated totaling \$\_\_\_\_.00.

- [X] Any overpayments or deficiencies in the above-calculated fee(s).
- [X] Any additional fees required under 37 C.F.R. § 1.16 or § 1.17.
- [X] In the event that a Petition for Extension of Time is required during the prosecution of this application, but not submitted, please charge any extension fee under 37 C.F.R. § 1.136(a) to our Deposit Account noted above.

**CORRESPONDENCE ADDRESS**

July 12, 2005  
(Date)

By:

AARON R. ETTELMAN

Registration No. 42,516

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Enclosures